

# HARRIS COUNTY ESSENTIAL WORKERS BOARD BYLAWS

As of November 30, 2021, the Harris County Essential Workers Board (HCEWB) is hereby established. The Bylaws of the Harris County Essential Workers Board are as follows:

## ARTICLE I NAME AND MAILING ADDRESS

1. The name of this organization shall be the Harris County Essential Workers Board.
2. The mailing address of the HCEWB shall be: ATTN: Harris County Essential Workers Board, Harris County Department of Economic Equity and Opportunity, 1301 Franklin St., First Floor, Houston, Texas, 77002.

## ARTICLE II DEFINITIONS

For purposes of the Harris County Essential Workers Board Bylaws ("Bylaws"), the terms below are defined as follows:

3. **"Essential Industries"** refers to industries listed in the Cybersecurity and Infrastructure Security Agency (CISA)'s "Advisory Memorandum on Ensuring Essential Critical Infrastructure Workers' Ability to Work During the COVID-19 Response" issued on August 10, 2021.<sup>1</sup>
4. **"Essential Workers"** refers to categories of workers that Harris County residents depend on for their survival and well-being, defined by the CISA as "workers who conduct a range of operations and services that are typically essential to continued critical infrastructure viability" and "workers who support crucial supply chains and enable functions for critical infrastructure."<sup>2</sup> This includes, but is not limited to, healthcare workers, home care workers, childcare and education workers, domestic workers,<sup>3</sup> grocery and drug store workers, production and food processing workers, farm workers, delivery drivers, warehouse workers, food service workers, hospitality and service workers, public and private transportation workers, janitors and environmental services workers, construction workers, retail workers, and federal, state, and municipal

---

<sup>1</sup> Easterly, Jen. "Advisory Memorandum On Ensuring Essential Critical Infrastructure Workers' Ability To Work During The COVID-19 Response." U.S. Department of Homeland Security Cybersecurity and Infrastructure Security Agency (CISA), 10 Aug. 2021, *available at* [www.cisa.gov/sites/default/files/publications/essential\\_critical\\_infrastructure\\_workforce-guidance\\_v4.1\\_508.pdf](https://www.cisa.gov/sites/default/files/publications/essential_critical_infrastructure_workforce-guidance_v4.1_508.pdf); see also *Harris County Stay Home, Work Safe Order*, 24 Mar. 2020, *available at* [houstonemergency.org/wp-content/uploads/03-24-20-Stay-Home-Work-Safe-Order-by-the-County-Judge.pdf](https://houstonemergency.org/wp-content/uploads/03-24-20-Stay-Home-Work-Safe-Order-by-the-County-Judge.pdf).

<sup>2</sup> Easterly, "Advisory Memorandum On Ensuring Essential Critical Infrastructure Workers' Ability To Work During The COVID-19 Response."

<sup>3</sup> *Domestic Employment*. Texas Workforce Commission, 29 Nov. 2016, [twc.texas.gov/domestic-employment](https://twc.texas.gov/domestic-employment). Accessed 21 Sept. 2021.

employees.<sup>4</sup>

5. **“Language Access”** refers to accessible methods of communication for all. This includes ensuring that all methods of communication are accessible regardless of language, race, ethnicity, socioeconomic status, literacy, and disability.
6. **“Low-income Workers”** refers to workers earning at or below 80% of the area median income for Harris County, as set by the United States Department of Housing and Urban Development.
7. **“Public Health Emergencies”** refers to situations that elevate the health and safety risks faced by Essential Workers, identified by situations in which the Harris County Judge declares a local disaster, the Texas Governor declares a state of disaster, or the United States Secretary of Health and Human Services declares a public health emergency. This term includes, but is not limited to, extreme weather events, natural or manmade disasters, widespread outbreak of infectious disease, and public health emergencies.
8. **“Workers’ Rights”** refers to protections on the job, including fair wages and benefits and occupational safety and health for all Essential Workers.

### **ARTICLE III PURPOSE, OBJECTIVES, AND RESPONSIBILITIES**

9. The purpose of the HCEWB is to provide feedback and recommendations to the Department of Economic Equity and Opportunity (DEEO) and other relevant Harris County Departments and, where appropriate, serve in an advisory capacity to Harris County Commissioners Court on County programs and policies that recognize and support Essential Workers, including to encourage and support the development and implementation of programs and policies that:
  - a. Protect communities, workers, and businesses across Harris County during public health emergencies and other occupational safety and health hazards;
  - b. Support equitable, cooperative, multi-benefit, and worker-led solutions to achieving protections on the job, including fair wages and benefits and occupational safety and health for all Essential Workers; and
  - c. Take into account the needs and priorities of Harris County residents and promote safe and healthy workplaces across Harris County.
10. To achieve these purposes, the HCEWB will work with the DEEO to carry out the following objectives:
  - a. **Overall Approach and Planning:** Provide ongoing evaluation, feedback, and worker expertise on Harris County’s overall approach to protecting Essential Workers’ Rights.
  - b. **Specific Programs and Policies:** Encourage transparency, evaluate, and provide feedback on existing and future development and implementation of

---

<sup>4</sup> Easterly, “Advisory Memorandum On Ensuring Essential Critical Infrastructure Workers’ Ability To Work During The COVID-19 Response”; *see also Harris County Stay Home, Work Safe Order*, 24 Mar. 2020.

programs and policies that address Essential Workers' Rights to help ensure they meet the purposes stated in Section 9 above. Programs and policies include, but are not limited to, purchasing and contracting policies, workforce development programs, tax abatement and incentive policies, community benefits agreements, distribution of federal COVID-19 relief and recovery funds, disaster preparedness and recovery programs, OSHA trainings, independent monitoring of local, state, and federal public health and labor laws, and inclusive economic development planning.

- c. **Essential Worker Insights:** Share information, insights, and lived experiences of essential work to assist Harris County in generating reports based on mixed-method, participatory action research to (i) identify areas of concern and (ii) advise and develop recommendations to maximize Essential Workers' Rights.
  - d. **Civic Engagement:** Serve as a public forum for the discussion and exploration of Essential Workers' Rights and community engagement efforts.
11. The HCEWB's responsibilities shall include, among other things:
- a. Develop short- and long-term goals to achieve the HCEWB's purpose and objectives.
  - b. Prepare and submit an annual report to Commissioners Court that summarizes:
    - i. The goals, purpose, and objectives of the HCEWB, and
    - ii. Any findings and recommendations related to the HCEWB's goals, purpose, and objectives.
  - c. Establish other rules and procedures, consistent with the Bylaws, as necessary, to carry out the purpose and objectives of the HCEWB.
12. Harris County is committed to a strong economic climate and has policies to that effect, but this specific Board is dedicated to Essential Workers. The HCEWB should not be used to promote industry or employer interests that are inconsistent with the rights of Essential Workers and the purposes and objectives provided in Section 9 and 10.
13. The HCEWB is encouraged to inform and obtain feedback from a diversity of residents and communities working in or impacted by Essential Industries across Harris County and to consult respected technical, scientific, and advocacy experts including, but not limited to, occupational health and safety specialists, economists, legal experts, and advocates, as part of its process for advising on Essential Workers' Rights.

## **ARTICLE IV MEMBERSHIP**

### **(A) Appointment and Selection Process**

14. The Harris County Boards and Commissions Office (HCBCO) will administer the membership application and selection process for the HCEWB, in accordance with the "Harris County's Uniform Policies and Procedures for Associated Appointment

Processes and Oversight of County Boards and Commissions<sup>5</sup> (HCBCO Policy) and as described under Sections 15-22 below.

15. The County Judge and each Commissioner will coordinate with the HCBCO to appoint one member each to the HCEWB in accordance with the criteria described in Sections 18-22 below.
16. The five (5) members appointed by Commissioners Court will serve as the HCEWB Selection Committee and make recommendations, by majority vote, to the HCBCO and Commissioners Court for the remaining eight (8) members of the HCEWB, in accordance with the criteria described in Sections 18-22.
17. The HCBCO will be responsible for filling vacancies in accordance with Harris County's Uniform Policies and Procedures for Associated Appointment Processes and Oversight of County Boards and Commissions.

#### **(B) Composition and Qualifications**

18. The HCEWB will consist of thirteen (13) members who serve in an advisory capacity to the DEEO, other relevant Harris County Departments, and, where appropriate, Commissioners Court; represent the geographic, gender, age, racial, and ethnic diversity of Essential Workers in Harris County; are residents of Harris County; have a demonstrated interest in and commitment to serving the community; are able to contribute meaningful time and effort to achieving the purpose and objectives of the HCEWB; and, where possible, meet one or more of the following qualifications:
  - a. Have a demonstrated knowledge of or interest in advocating for protections on the job, including fair wages and benefits and workplace occupational safety and health for Essential Workers.
  - b. Have a demonstrated knowledge of or interest in equitable and inclusive approaches to economic development and the socioeconomic, demographic, and environmental factors that affect the quality of life outcomes of Essential Workers.
19. All HCEWB members must be low-income Essential Workers in Harris County, or have at least 12-months of previous experience as a low-income Essential Worker.
20. The HCEWB shall include at least one member from each of the affected Essential Industries below:
  - a. Airport or Transportation
  - b. Construction
  - c. Domestic Work or Home Care
  - d. Education or Childcare
  - e. Grocery, Convenience, or Drug Store
  - f. Healthcare or Public Health

---

<sup>5</sup> *Harris County's Uniform Policies and Procedures for Associated Appointment Processes and Oversight of County Boards and Commissions*. Harris County Commissioners Court, 27 Apr. 2021, [cao.harriscountytexas.gov/LinkClick.aspx?fileticket=81AmDgT7a2k%3D&portalid=83](http://cao.harriscountytexas.gov/LinkClick.aspx?fileticket=81AmDgT7a2k%3D&portalid=83). Accessed 28 Sept. 2021.

- g. Janitorial
- h. Food Services, Hospitality, or Leisure Services
- i. Retail

21. The HCEWB shall be inclusive of different religions, disabilities, backgrounds, and identities.

22. HCEWB members should not be full time employees of Harris County.

### **(C) Membership Terms**

23. Appointment to the HCEWB shall be for three-year terms. However, to provide continuity and stability, the initial HCEWB membership terms shall be staggered as stated in Section 24 and 25.

24. The five members appointed directly by Commissioners Court shall all serve three-year first terms.

25. The remaining eight (8) members appointed shall serve the initial first-term as follows:

- a. Positions 6 through 9 shall serve a two-year first term
- b. Positions 10 through 13 shall serve a one-year first term

26. If, for any reason, there is a delay in either the reappointment of a member whose term is expiring or the appointment of a new member to replace a member whose term is expiring, the existing member shall continue to serve until a reappointment is made.

27. Members are allowed to serve a maximum of three (3) terms, consecutively or as life-terms. The initial one-year and two-year terms outlined in Section 25 shall each be considered a full term.

28. In the event a member of the HCEWB is no longer able to serve, interim vacancies will be filled in accordance with Section 17.

## **ARTICLE VII MEETINGS**

### **(A) Meeting Protocols**

29. The HCEWB meetings are not subject to the Open Meetings Act (Op. Tex. Att'y Gen. No. GA-0504 (2007)); however, the meetings, records, and activities of the HCEWB shall be open and accessible to the public.

30. HCEWB meetings shall incorporate language access into its practices to ensure full participation of all HCEWB members and any additional participants or speakers.

31. The HCEWB meetings may be held virtually; however, any in-person meetings will be held in locations that are convenient and accessible to the community and to persons

with disabilities.

32. The HCEWB shall hold meetings at least once every other month for a total of at least six (6) meetings per year, and more frequently if circumstances dictate, and shall:
  - a. Give written notice of the date, time, location, and subject of each of its meetings in accordance with Tex. Gov't Code Ann. § 551.041;
  - b. Changes to these regularly scheduled meetings shall be posted online on a website developed specifically for the HCEWB with support from the Harris County Universal Services Department;
  - c. Provide a set amount of time during each meeting for public comment, as determined by the Chair and Co-Chair.
33. The HCEWB Secretary (as defined in Article VIII below) shall maintain attendance records documenting member absences. If a member is unable to attend a scheduled meeting, notification must be provided to the Secretary at least two (2) days prior to the meeting.
34. A quorum is required to conduct business and make decisions at meetings and is defined as representation from at least 50 percent plus one (seven (7) members). A quorum is not necessary for collecting testimony or public input from workers and the community.

#### **(B) Meeting Agendas**

35. The Chair shall conduct meetings and populate and distribute agendas with the support of the Vice Chair, Secretary, and the DEEO. Items for discussion may be submitted for inclusion on the agenda by any HCEWB member and DEEO personnel.
36. Agenda items are to be distributed by the DEEO, with a copy to the Harris County Attorney, at least seven (7) days prior to a HCEWB meeting.
37. The HCEWB can request public information from relevant Departments, and the DEEO shall coordinate such a request. Public information may include data, reports, policy memos, and other documents intended to facilitate the HCEWB's ability to prepare reports and provide meaningful feedback and input on the County's efforts to improve Essential Workers' Rights.<sup>6</sup>
38. The DEEO shall include informational materials, as available or requested, as backup to any agenda items regarding Essential Workers' Rights issues to allow the HCEWB to evaluate and provide feedback and recommendations to Harris County.
39. The HCEWB can request that a representative from relevant County Departments involved with an agenda item(s) for an upcoming HCEWB meeting attend and be

---

<sup>6</sup> The Departments need not furnish or provide informational materials to the HCEWB members that are not discoverable by the general public under (or such as would otherwise violate) state and federal law. Personal identifying information can be redacted, as necessary, to protect individuals' privacy and ensure compliance with state and federal law.

prepared to discuss the relevant item(s).

40. Although discussion is permitted on items that do not make it onto the HCEWB agenda, it is preferred that, whenever possible, the public be provided with advance notice of discussion items by including them on the agenda.

### **(C) Deliberation Processes**

41. For purposes of providing input or otherwise transmitting information to Commissioners Court, the HCEWB will work by consensus, a method of making decisions through which a group strives to reach substantial, though not necessarily unanimous, agreement on matters of overall direction and policy.
42. If, following a reasonable amount of time for discussion, the Chair determines that consensus is not possible, the HCEWB will allow for a majority vote to provide the basis for a decision. When a vote is taken, each member's vote shall be recorded in writing, even when votes are made by verbal assent. In the case of a majority vote, the HCEWB will provide an opportunity for minority reports to be submitted and included in meeting notes.
43. The HCEWB may establish its own rules and operating procedures consistent with the Bylaws, as appropriate.

### **(D) Committees and Working Groups**

44. The HCEWB may create ad hoc or standing committees or working groups as it deems appropriate for the furtherance of its purpose and objectives (e.g., a technical advisory committee).
45. Committees or working groups may consist of HCEWB members and/or nonmembers to assist the HCEWB in its work.
46. The conduct of business within committees or working groups, including for voting and documentation of decisions, shall follow the same procedures that apply to the HCEWB as a whole.
47. Committee or working group members shall assign a Chairperson or Co-chairpersons who shall be responsible for scheduling and facilitating meetings, creating agendas, and taking minutes, with support from the DEEO as needed.
48. Committees or working groups shall bring final decisions and recommendations that have implications for the work of County Departments and Offices to the full HCEWB for approval.

## **ARTICLE VIII OFFICERS**

49. The HCEWB shall elect the Chair, the Vice-Chair, and the Secretary from among its thirteen (13) members at the first meeting of each year for a one-year term. These elected officers shall constitute the Executive Committee.
50. The Executive Committee shall meet as often as necessary for the purposes of carrying out their duties as outlined in Article VIII.
51. The Chair and the Secretary are responsible for ensuring that operating procedures are followed at each meeting. The Chair shall be the principal officer of the HCEWB and shall preside at all meetings with support, as needed, from the DEEO. In the absence of the Chair, the Vice-Chair will preside.
52. If the Chair and the Vice-Chair are both absent or unable to perform their duties, the HCEWB may appoint a Chair pro tempore by consensus or, if consensus cannot be achieved, by a majority vote.
53. The Chair's responsibilities are to:
- a. Oversee the activities of any working groups or committees established by the HCEWB; and
  - b. Present the input of the HCEWB to Commissioners Court.
54. The Vice Chair's responsibilities are to:
- a. Support the Chair as needed and requested, including support in carrying out the duties outlined in Article VIII.
55. The Secretary's responsibilities are to:
- a. Maintain written minutes that record all actions taken by the HCEWB and the reasons for taking such actions and present the minutes from the previous meeting to the HCEWB for approval by majority vote at the beginning of each meeting.
  - b. Call roll at HCEWB meetings and keep track of attendance. The Secretary may excuse absences for members in case of emergencies and may also make recommendations to the HCBCO for removal of a member if the member has missed a majority of HCEWB meetings in the previous year for non-emergency reasons.
  - c. Maintain an inventory of all committees and working groups, all standing and special rules, as well as copies of the Bylaws.
56. The Chair, the Vice Chair, or the Secretary may resign at any time by giving written notice thereof to the Chair or the Secretary. A vacancy shall be filled by election of a member of the HCEWB for the unexpired portion of the elected term at the first regular meeting after the vacancy occurs.

## **ARTICLE IX COUNTY ATTORNEY**

57. The Harris County Attorney's Office (CAO) shall be the attorney for the HCEWB. If



necessary, the HCEWB or the DEEO can request that the Harris County Attorney or a designee be present at any regularly scheduled HCEWB meetings.

## **ARTICLE X AMENDMENTS TO BYLAWS**

58. The HCEWB may request amendments to the HCEWB Bylaws by a majority vote of the HCEWB members, to be ratified by a majority vote of Commissioners Court. Any amendments to these Bylaws shall be reviewed by the Harris County Attorney's Office.
59. The DEEO will review the HCEWB Bylaws every five (5) years, with public comment, to make recommendations to Commissioners Court on improving the HCEWB and/or amending its Bylaws.